

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

**FILED**

AUG 1 2023

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NOELLE LEE, derivatively on behalf of The  
Gap, Inc,

Plaintiff-Appellant,

v.

ROBERT J. FISHER; SONIA SYNGAL;  
ARTHUR PECK; AMY BOHUTINSKY;  
AMY MILES; ISABELLA D. GOREN;  
BOB L. MARTIN; CHRIS O'NEILL;  
ELIZABETH A. SMITH; JOHN J. FISHER;  
JORGE P. MONTOYA; MAYO A.  
SHATTUCK III; TRACY GARDNER;  
WILLIAM S. FISHER; DORIS F. FISHER;  
THE GAP, INC., Nominal Defendant,

Defendants-Appellees.

No. 21-15923

D.C. No. 3:20-cv-06163-SK  
Northern District of California,  
San Francisco

**ORDER**

Before: MURGUIA, Chief Judge, and S.R. THOMAS, IKUTA, NGUYEN,  
FRIEDLAND, R. NELSON, BADE, BRESS, FORREST, BUMATAY and  
MENDOZA, Circuit Judges.

The full court has been advised of the petition for rehearing en banc before  
the full court and no judge has requested a vote on whether to rehear the matter en  
banc. Fed. R. App. P. 35; Ninth Circuit General Order 5.8.

Appellant's petition for rehearing en banc before the full court is DENIED  
(Doc. 100).